रजिस्ट्री सं. डी-(डी)-72 REGISTERED No. D-(D)-72

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 55] नई दिल्ली, बृहस्पतिवार, दिसम्बर 4, 1986/अग्रहायण 13, 1908
No. 55] NEW DELHI, THURSDAY, DECEMBER 4, 1986/AGRAHAYANA 13, 1908

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 4th December, 1986:—

BILL NO XLIV OF 1986

A Bill further to amend the Mica Mines Labour Welfare Fund Act, 1946, the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, the Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976 and the Beedi Workers Welfare Fund Act, 1976.

BE it enacted by Parliament in the Thirty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. This Act may be called the Labour Welfare Fund Laws (Amendment) Act, 1986. Short title.

CHAPTER II

AMENDMENT TO THE MICA MINES LABOUR WELFARE FUND ACT, 1946

Amendment of section 3.

2. In section 3 of the Mica Mines Labour Welfare Fund Act, 1946, in sub-section (*2*), in clause (*a*), after sub-clause (*v*), the following sub-clause shall be inserted, namely:— 22 of 1946.

'(*vi*) the provision of family welfare, including family planning education and services;".

CHAPTER III

AMENDMENT TO THE LIMESTONE AND DOLOMITE MINES LABOUR WELFARE FUND ACT, 1972

Amendment of section 5.

3. In section 5 of the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, in sub-section (2), in clause (*a*), in sub-clause (*iii*), the word "and" occurring at the end shall be omitted and after sub-clause (*iv*), the following sub-clause shall be inserted, namely:— 62 of 1972.

"(*v*) the provision of family welfare, including family planning education and services;".

CHAPTER IV

AMENDMENT TO THE IRON ORE MINES, MANGANESE ORE MINES AND CHROME ORE MINES LABOUR WELFARE FUND ACT, 1976

Amendment of section 4.

4. In section 4 of the Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976, in clause (*a*), after sub-clause (*v*), the following sub-clause shall be inserted, namely:— 61 of 1976.

"(*vi*) the provision of family welfare, including family planning education and services;".

CHAPTER V

AMENDMENTS TO THE BEEDI WORKERS WELFARE FUND ACT, 1976

Amendment of section 4.

5. In section 4 of the Beedi Workers Welfare Fund Act, 1976 (hereafter in this Chapter referred to as the Beedi Fund Act), in sub-section (*1*),— 62 of 1976.

(*i*) in clause (*a*), after sub-clause (*iv*), the following sub-clause shall be inserted, namely:—

"(*iva*) the provision of family welfare, including family planning education and services;";

(*ii*) in clause (*c*),—

(*a*) for the words "or a local authority or to an employer", the words "or to a local authority or to an agency which satisfies the prescribed criteria (hereinafter referred to as the agency) or to an employer" shall be substituted;

(*b*) for the words "local authority", the words "local authority, agency" shall be substituted;

6. In section 11 of the Beedi Fund Act, after the words "or a local authority", the words "or the agency" shall be inserted. Amendment of section 11.

7. In section 12 of the Beedi Fund Act,— Amendment of section 12.

(*i*) in sub-section (*2*),—

(*a*) in clause (*i*), after the words "or a local authority", the words "or the agency" shall be inserted;

(*b*) after clause (*j*), the following clause shall be inserted, namely:—

"(*ja*) the form in which an identity card is to be issued by an employer to a person engaged in a Beedi establishment;";

(*ii*) for sub-section (*3*), the following sub-section shall be substituted, namely:—

(*3*) In making any rule under sub-section (*2*), the Central Government may direct that a breach of—

(*a*) any rule made under clause (*i*) or clause (*j*) thereof, shall be punishable with fine which may extend to five hundred rupees;

(*b*) any rule made under clause (*ja*) thereof, shall be punishable with fine which may extend to two thousand rupees.".

STATEMENT OF OBJECTS AND REASONS

The purposes for which the welfare funds constituted under the Mica Mines Labour Welfare Fund Act, 1946, the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, the Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare Fund Act, 1976 and the Beedi Workers Welfare Fund Act, 1976 can be applied by the Central Government are specified in the Acts. In view of the importance and urgency of moderating population growth, the Bill provides that the welfare funds can also be applied for the provision of family welfare including family planning education and services.

The Beedi Workers Welfare Fund Act, 1976 provides that grants-in-aid may be given to the State Governments or local authorities or to the employers who provide welfare facilities for the benefit of persons engaged in beedi establishments. The Bill also seeks to enable the Central Government to give grants-in-aid to such agencies which fulfill the criteria prescribed by rules made under the Act in order to provide welfare measures and facilities to the beedi workers.

The workers in the beedi industry are largely un-organised or semi-organised. For the provision of welfare facilities, it is necessary to first identify the workers. The Bill seeks to enable the Central Government to prescribe the form in which identity card to a person engaged in beedi establishment may be granted; and also to provide for punishment in the event of failure to provide the identity card.

NEW DELHI;

The 28th November, 1986. PURNO A. SANGMA.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill, *inter alia*, seeks to amend clause (c) of sub-section (1) of section 4 of the Beedi Workers Welfare Fund Act, 1976 so as to empower the Central Government to apply the Fund to meet the expenditure incurred in connection with payment of annual grants-in-aid also to certain agencies in addition to the State Government, local authority or an employer. It is being provided that the criteria for the eligibility of such agency is to be determined by the Central Government in accordance with the rules to be made under the Act.

2. Clause 7 of the Bill seeks to insert a new clause (ja) in sub-section (2) of section 12 so as to provide for in the rules the form in which an identity card may be issued by an employer to a person engaged in a beedi establishment. It also seeks to provide punishment for the breach of such rules by suitably amending sub-section (3) of section 12.

3. The matters for which rules may be made are of matters of detail. The delegation of legislative power is, therefore, of a normal character.

SUDARSHAN AGARWAL,
Secretary-General.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI.